



**Department of Energy**  
Washington, DC 20585

Austin Evers  
American Oversight  
1030 15th Street N.W., Suite B255  
Washington, D.C. 20005

NOV 18 2019

Via email: [foia@americanoversight.org](mailto:foia@americanoversight.org)

Re: HQ-2019-01275-F

Dear Mr. Evers:

This is the final response to the request for information that you sent to the Department of Energy (DOE) under the Freedom of Information Act (FOIA), 5 U.S.C. § 552. You requested:

- 1) Any conflicts or ethics waivers or authorizations, including authorizations pursuant to 5 C.F.R. § 2635.502, for Secretary Perry issued since January 10, 2017.
- 2) Records reflecting any recusal determination made or issued for Secretary Perry issued since January 10, 2017.

Your request was assigned to DOE's Office of the General Counsel (GC) to conduct a search of its files for responsive documents. GC started its search on August 23, 2019, which is the cut-off date for responsive documents. GC has completed its search and has identified one (1) document responsive to your request. This document is being released to you in its entirety, as described in the accompanying index.

The adequacy of the search may be appealed within 90 calendar days from your receipt of this letter pursuant to 10 C.F.R. § 1004.8. Appeals should be addressed to Director, Office of Hearings and Appeals, HG-1, L'Enfant Plaza, U.S. Department of Energy, 1000 Independence Avenue, S.W., Washington, D.C. 20585-1615. The written appeal, including the envelope, must clearly indicate that a FOIA appeal is being made. You may also submit your appeal by e-mail to [OHA.filings@hq.doe.gov](mailto:OHA.filings@hq.doe.gov), including the phrase "Freedom of Information Appeal" in the subject line (this is the method preferred by the Office of Hearings and Appeals). The appeal must contain all the elements required by 10 C.F.R. § 1004.8, including a copy of the determination letter. Thereafter, judicial review will be available to you in the Federal District Court either (1) in the district where you reside, (2) where you have your principal place of business, (3) where DOE's records are situated, or (4) in the District of Columbia.



You may contact DOE's FOIA Public Liaison, Alexander Morris, FOIA Officer, Office of Public Information, at 202-586-5955, or by mail at MA-46/Forrestal Building, 1000 Independence Avenue, S.W., Washington, D.C. 20585, for any further assistance and to discuss any aspect of your request. Additionally, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, Maryland 20740-6001, e-mail at [ogis@nara.gov](mailto:ogis@nara.gov); telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

The FOIA provides for the assessment of fees for the processing of requests. *See* 5 U.S.C. § 552(a)(4)(A)(i); *see also* 10 C.F.R. § 1004.9(a). In our August 23, 2019, letter, you were informed that your request was placed in the "other" category for fee purposes. Requesters in this category are entitled to two (2) free hours of search time and are provided 100 pages at no cost. DOE's processing costs did not exceed \$15.00, the minimum amount at which DOE assesses fees. Thus, no fees will be charged for processing your request.

If you have any questions about the processing of the request or this letter, you may contact me or Mr. Andrew Ferencevych of my office at:

MA-46/Forrestal Building  
1000 Independence Avenue, S.W.  
Washington, D.C. 20585  
(202) 586-6097

I appreciate the opportunity to assist you with this matter.

Sincerely,



Alexander C. Morris  
FOIA Officer  
Office of Public Information

## INDEX

Request #: HQ-2019-01275-F

Final response to request from Mr. Austin Evers for:

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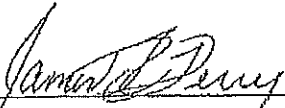
## RECUSAL STATEMENT

## THE SECRETARY

1. In accordance with the United States Senate Committee on Energy and Natural Resources Recusal Policy dated February 16, 2011, and 18 U.S.C. § 208(a), I will not participate personally and substantially in any particular matter in which I know that I have a financial interest directly and predictably affected by the matter, or in which I know that a person whose interests are imputed to me has a financial interest directly and predictably affected by the matter, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1), or qualify for a regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2). I understand that the interests of the following persons are imputed to me: any spouse or minor child of mine; any general partner of a partnership in which I am a limited or general partner; any organization in which I serve as officer, director, trustee, general partner or employee; and any person or organization with which I am negotiating or have an arrangement concerning prospective employment.
2. I have a "covered relationship" with Celltex Therapeutics, MCNA Insurance. I resigned from my positions with Celltex Therapeutics and MCNA Insurance effective December 31, 2016. For a period of one year after my resignation from these entities, I will not participate personally and substantially in any particular matter involving specific parties in which I know that entity is a party or represents a party, unless I am first authorized to participate, pursuant to 5 C.F.R. § 2635.502(d).
3. I have a "covered relationship" with Energy Transfer Partners, L.P. ("ETP"). I resigned from my position with ETP effective December 31, 2016. I received an "extraordinary payment" from ETP on January 9, 2017. I have divested my interests in ETP. I will not participate personally and substantially in any particular matter involving specific parties in which I know ETP is a party or represents a party for a period of two years from the date on which my restricted stock vested, unless I first receive a written waiver pursuant to 5 C.F.R. § 2635.503(e).
4. I have a "covered relationship" with Sunoco Logistics Partners L.P. ("SLP"). I resigned from my position with SLP effective December 31, 2016. I received an "extraordinary payment" from SLP on January 11, 2017. I have divested my interests in SLP. I will not participate personally and substantially in any particular matter involving specific parties in which I know SLP is a party or represents a party for a period of two years from the date on which my restricted stock vested, unless I first receive a written waiver pursuant to 5 C.F.R. § 2635.503(c).

5. I resigned from my position with Grey Rock Energy Partners effective December 31, 2016. My son co-founded this company and serves as its Managing Director. For at least one year after my resignation and for so long as my son continues to work for this company, I will not participate personally and substantially in any particular matter involving specific parties in which I know Grey Rock Energy Partners is a party or represents a party, unless I am first authorized to participate, pursuant to 5 C.F.R. § 2635.502(d). If I receive an authorization under 5 C.F.R. § 2635.502(d), I will comply with any limitations specified in the authorization.
6. I am the Manager and, with my spouse, co-owner of ARP Holdings, through which I performed consulting work and managed some of my investments. Upon confirmation, I ceased all consulting activities. I will not participate personally and substantially in any particular matter involving specific parties in which I know a former client of mine is a party or represents a party for a period of one year after I last provided service to that client, unless I am first authorized to participate, pursuant to 5 C.F.R. § 2635.502(d). The only consulting client I had during the last year that is not covered elsewhere in this document is McKenna & Associates. In addition, I also received honoraria or appearance fees through ARP Holdings. I will not participate personally and substantially in any particular matter involving specific parties in which I know an entity from whom I received a honoraria or appearance fee is a party or represents a party for a period of one year after I last provided service to that entity, unless I am first authorized to participate, pursuant to 5 C.F.R. § 2635.502(d). The entities from whom I received an honoraria or appearance fee are Omnitrac, Bond Buyer, American Association of Orthopaedic Surgeons, Texas Public Policy Foundation, Radius Financial Education, State Policy Network, Law Office of George Martin, Inc., Messianic Jewish Bible Institute, and Entertainment Partners Worldwide.
7. As soon as possible, but not later than 90 days after my confirmation, I will divest my interests in the following entities: Fairmount Santrol Holdings, Inc.; Grey Rock Energy Fund I; Grey Rock Energy Fund II; Microsoft; Tesla Motors; and WPP Investments LP. With regard to each of these entities, I will not participate personally and substantially in any particular matter that to my knowledge has a direct and predictable effect on the financial interests of the entity until the divestitures described have occurred, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1), or qualify for a regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2).
8. Within two years prior to my appointment, I received compensation for services other than speaking from the following entities: ETP, SLP, MCNA Insurance, McKenna & Associates, Celltex Therapeutics, and Holt Texas. Pursuant to the Ethics Pledge contained in Executive Order 13770, I will not for a period of two years from the date of my appointment participate in any particular matter involving specific parties that is directly and substantially related to these entities, including regulations and contracts, unless I obtain a waiver of the Ethics Pledge.

9. I have directed Dan Wilmot to route all matters referred to above from which I am recused to the appropriate Departmental personnel.

  
James Richard Perry  
Secretary

3 MAR 2017

Date